

ORDINANCE NO. 118

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, GRANTING FRANCHISES TO SEATTLE DISPOSAL, RABANCO LTD., ET AL, D/B/A RABANCO COMPANIES, SEATTLE CITY LIGHT, SHORELINE WATER DISTRICT #42, SEATTLE WATER, AND WASHINGTON NATURAL GAS COMPANY FOR OPERATION OF PUBLIC SERVICE BUSINESSES IN THAT PORTION OF THE CITY OF SHORELINE ANNEXED THERETO BY CITY ORDINANCE NO. 113.

WHEREAS, the City of Shoreline, by Shoreline City Ordinance No. 113, annexed additional property as described therein as of February 25, 1997; and

WHEREAS, RCW 35.13.280 provides that any franchise or permit theretofore granted to any person, firm, or corporation by the state or county authorizing or otherwise permitting the operation of any public transportation, garbage collection and/or disposal, or other similar public service business or facility, is automatically canceled upon annexation by a city, but that upon annexation the City must grant such businesses a franchise or permit to continue such business within the City for a term of not less than five years; and

WHEREAS, franchises have been granted by King County to the businesses and companies set forth herein who are currently operating in the annexed territory; and

WHEREAS, some of the providers herein have been granted franchises within the City's incorporated area prior to the annexation in question; and

WHEREAS, the City of Shoreline desires to consolidate the terms and conditions of franchise agreements throughout the City to the greatest extent possible under existing conditions;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Seattle Disposal- Rabanco, Ltd.- et al. d/b/a Rabanco Companies, is granted a permit to operate under the same terms and conditions as set forth in Washington Utilities and Transportation Permit No. G-12 dated August 18, 1994, within the territory annexed by Shoreline City Ordinance No. 113. This permit shall expire on February 26, 2002.

Section 2. Seattle City Light, is granted a franchise to construct, operate and maintain an electrical system to serve residential, multi-family and commercial areas in accord with RCW 36.55.010 and under the same terms and conditions as set forth in Shoreline City Ordinance No. 45, as extended by Shoreline City Ordinance No. 69, within the territory annexed by Shoreline City Ordinance No. 113. This franchise shall expire on February 26, 2002.

Section 3. Shoreline Water District # 42, is granted a franchise to lay down, construct, maintain and operate water mains, laterals and service pipe together with all necessary equipment of every sort necessary for the delivery of water to consumers within the territory annexed by Shoreline City Ordinance No. 113, in accord with and under the same terms and conditions as set forth in Shoreline City Ordinance No 45. This franchise shall expire on February 26, 2002.

Section 4. Seattle Water, is granted a franchise to operate, maintain, repair and construct water mains and service lines and appurtenances in, over, along, and under City roads and rights-of-way located within the territory annexed by Shoreline City Ordinance No. 113, in accord with and under the same terms and conditions as set forth in King County franchise #12518. This franchise shall expire on February 26, 2002.

Section 5. Washington Natural Gas Company, is granted a franchise to operate, maintain, repair and construct transmission, distribution and service lines and appurtenances as part of its transmission and distribution system within the territory annexed by Shoreline City Ordinance No. 113, in accord with and under the same terms and conditions as set forth in Shoreline City Ordinance No. 45. This franchise shall expire on February 26, 2002.

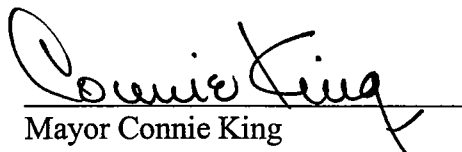
Section 6. Directions to City Clerk. The City Clerk is hereby authorized and directed to forward certified copies of this ordinance to the franchisees or permittees set forth in this ordinance. Each party so notified shall have 30 days from receipt of certified copy of this ordinance to accept in writing the terms of the franchise or permit granted by this ordinance. Failure to accept this offered franchise or permit within that time frame shall result in the termination of the authority granted hereby.

Section 7. Official Bonds. The franchisee or permittee shall take all necessary steps to transfer any bonds, certificates of insurance, or other security currently held by King County to the City of Shoreline within 30 days of receipt of the notification provided by **Section 6** hereof. The rights granted herein shall not be effective until such transfers are made.

Section 8. Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 9. Effective Date. This ordinance shall take effect and be in full force **five** (5) days after the date of publication. The City Clerk is hereby directed to publish this ordinance in full.

PASSED BY THE CITY COUNCIL ON MARCH 24, 1997


Mayor Connie King

ATTEST:

Sharon Mattioli

Sharon Mattioli, CMC
City Clerk

APPROVED AS TO FORM:

TS Disend

Bruce Disend
City Attorney

Date of Publication: March 28, 1997
Effective Date: April 2, 1997